

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ORDER

YOUNG, D.J.

October 23, 2009

On February 4, 2008 and September 21, 2009, Carmen Figueroa, Defendant, filed MOTIONS to reduce sentence pursuant to 18 U.S.C. § 3582(c). Figueroa's guideline sentence recommendation was between 188-235 months. Her sentence was downwardly adjusted below guideline recommendations to 96 months. A sentence is not to be reduced if inconsistent with Sentencing Commission policy. 18 U.S.C. § 3582(c)(2). A further reduction in Figueroa's sentence is inappropriate because her original sentence is a downwardly-variant non guideline sentence. See U.S.S.G. § 1B1.10(b)(2)(B). A further reduction of a downwardly-variant non guideline sentence is inconsistent with Sentence Commission policy. Accordingly, Figueroa's MOTION to reduce sentence is DENIED.

SO ORDERED.

/s/ William G. Young

WILLIAM G. YOUNG
DISTRICT JUDGE